



April 20, 2023

VIA ECF

The Honorable Victor Marrero
United States District Court
Southern District of New York
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New York, NY 10007-1312

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Re: National Coalition on Black Civic Participation et al. v. Wohl et al., No. 20-cv-8668

Dear Judge Marrero:

Pursuant to the Court's April 13, 2023 Order (Dkt. No. 263), Plaintiffs and Defendants in the above-referenced action submit this joint letter concerning trial scheduling.

Plaintiffs propose trial begin Monday, August 7, 2023 (the first full week of August) or in the alternative, the week beginning Monday July 31, 2023. We anticipate that trial would last approximately one week.

Defendants ideally propose trial begin Monday January 8, 2024. We anticipate the trial would last approximately two weeks. We remind the court that there were almost a dozen depositions and at least two experts to contend with and cross examination will no doubt take time. We have been informed that Plaintiff will be calling 11 witnesses.

Defendants are respectfully asking for the January date to allow us more time to prepare because as circumstances would have it, the law office of Gerstman Schwartz LLP ("GS LLP") is winding down its affairs and the attorneys who handled the vast majority of the depositions as well as all of our support staff, are no longer with the firm. I am a new partner at Aidala Bertuna & Kamins, PC. ("ABK") and have discussed with Plaintiffs Wohl and Burkman ABK picking up the case. They have indicated that they will be signing a consent to change attorneys and retainer presently. This will allow ABK to dedicate the resources and experienced staff needed to prepare for trial and defend this case.

Allowing additional time to prepare for trial will not disadvantage the Attorney General's Office with its vast resources, nor the rest of the Plaintiffs, and we respectfully ask for this additional time. Furthermore, Defendants will be contending with other cases around the country for the rest of the year.

/s/Franklin Monsour
Franklin Monsour Jr.

Counsel for Plaintiffs



David Schwartz

Counsel for Defendants

CC: All counsel of record (via ECF)